

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT
AND MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE
RULES. See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24.

FILED BY CLERK

NOV 26 2008

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,

Appellee,

v.

ALFREDO CANO SANCHEZ,

Appellant.

)
)
) 2 CA-CR 2007-0256
) DEPARTMENT A
)

) MEMORANDUM DECISION
) Not for Publication
) Rule 111, Rules of
) the Supreme Court
)

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR-39877

Honorable Barbara Sattler, Judge Pro Tempore

AFFIRMED

DiCampli, Elsberry & Hunley, LLC
By Anne Elsberry

Tucson
Attorneys for Appellant

B R A M M E R, Judge.

¶1 Following a jury trial conducted in his absence, Alfredo Cano Sanchez was convicted of conspiracy to sell marijuana and possession of marijuana for sale. The trial court sentenced him to mitigated, concurrent terms of 3.75 years' imprisonment on each count. Counsel has filed a brief citing *Anders v. California*, 386 U.S. 738 (1967), avowing she has reviewed the entire record and found "no arguable, meritorious issues" to raise on

appeal; she asks this court to “search the complete record for fundamental error.”¹ Sanchez has not filed a supplemental brief.

¶2 Viewed in the light most favorable to upholding the jury’s verdicts, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence established the following. After one of Sanchez’s codefendants had agreed to sell roughly 100–200 pounds of marijuana to an undercover police officer, Sanchez arrived at the codefendant’s residence, the agreed meeting place for the transaction, driving a pickup truck containing approximately 111 pounds of marijuana. He left after the marijuana was unloaded and then led police officers on a high-speed chase after observing police vehicles approaching the residence.

¶3 Pursuant to our obligation under *Anders*, we have reviewed the record in its entirety and considered all potential issues, including the trial court’s denial of Sanchez’s motion for mistrial, to which counsel has drawn our attention but has not raised as an arguable issue on appeal. We have determined that no error warranting reversal occurred, substantial evidence supports Sanchez’s convictions, and the sentences the trial court imposed are within the statutory range authorized for the offenses. Therefore, we affirm Sanchez’s convictions and sentences.

J. WILLIAM BRAMMER, JR., Judge

CONCURRING:

JOHN PELANDER, Chief Judge

¹Counsel has also cited *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), but has not included a “detailed factual and procedural history of the case, with citations to the record,” as *Clark* requires. *See id.* ¶ 30.

JOSEPH W. HOWARD, Presiding Judge